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(Original Signature of Member)

117TH CONGRESS  
2D SESSION

**H. R.** \_\_\_\_\_

To prevent the Federal Government from using taxpayer funds to distribute cellular devices to individuals who unlawfully cross the southern border, and for other purposes.

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**IN THE HOUSE OF REPRESENTATIVES**

Mr. DONALDS introduced the following bill; which was referred to the Committee on \_\_\_\_\_

\_\_\_\_\_  
**A BILL**

To prevent the Federal Government from using taxpayer funds to distribute cellular devices to individuals who unlawfully cross the southern border, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “No More Phones Act”

5       **SEC. 2. FINDINGS; STATEMENT OF CONGRESS.**

6       (a) FINDINGS.—Congress finds the following:

1           (1) U.S. Customs and Border Protection (CBP)  
2           is charged with securing the United States's borders  
3           at and between ports of entry by stopping inadmis-  
4           sible people and illicit goods.

5           (2) In fiscal year 2020, the U.S. Border Patrol  
6           experienced 405,036 total encounters with illegal im-  
7           migrants. Comparatively, the U.S. Border Patrol en-  
8           countered 1,662,167 illegal immigrants in fiscal year  
9           2021 – nearly 4 times the amount from the previous  
10          fiscal year.

11          (3) Upon apprehending illegal immigrants at  
12          the southern border, which often occurs voluntarily,  
13          the individuals are then processed and detained by  
14          CBP agents in holding facilities for approximately  
15          52 hours, where they are provided 3 meals a day  
16          and a constant supply of water and snacks, and then  
17          subsequently placed into legal proceedings to deter-  
18          mine the individual's immigration eligibility.

19          (4) If the undocumented individual requests  
20          asylum based on credible fear of persecution, the  
21          U.S. Citizenship and Immigration Services will make  
22          a determination if the individual does in fact have  
23          credible fear of persecution, and if so, the alien will  
24          then be placed in a standard removal process accord-  
25          ing to section 240 of the Immigration and Nation-

1        ality Act (8 U.S.C. 1229a) and may then pursue a  
2        hearing before an immigration judge.

3            (5) During these hearings, immigration judges  
4        within the Department of Justice's Executive Office  
5        for Immigration Review determines whether an indi-  
6        vidual is subject to removal or if the individual is eli-  
7        gible for relief, although U.S. Immigration and Cus-  
8        toms Enforcement (ICE) makes the initial decision  
9        immediately after the alien was processed at CBP  
10       detention facilities, to detain the individual or re-  
11       lease them into the several communities of the  
12       United States pending their immigration hearing;

13           (6) Aliens will then be considered for detention  
14        at ICE holding facilities or other detention plans co-  
15        ordinated with nongovernmental organizations, how-  
16        ever due to limited space and other legal consider-  
17        ations that relate to family units and immigration  
18        shelter licensing, many individuals that cross the  
19        southern border illegally are usually released into the  
20        several communities of the United States after leav-  
21        ing CBP detention facilities.

22           (7) All aliens released from ICE custody into  
23        the several communities of the United States are  
24        then assigned to a nondetained docket and must re-  
25        port to ICE's Enforcement and Removal Operations

1 (ERO) at least once a year while they await a deci-  
2 sion on whether they should be removed from the  
3 United States – which, as of August 2020, consisted  
4 of over 3,300,000 outstanding cases waiting to be  
5 heard.

6 (8) Some individuals in the nondetained docket  
7 are enrolled in Alternatives to Detention (ATD) pro-  
8 grams, through which ERO ATD officers determine  
9 case management and supervision methods on a  
10 case-by-case basis, and if the alien complies to the  
11 terms of their plan within 30 days, the level of su-  
12 pervision may be lowered.

13 (9) One main method to ensure ATD compli-  
14 ance is to provide the alien with technology services,  
15 which may include telephonic reporting, GPS moni-  
16 toring via ankle bracelets, or a smartphone applica-  
17 tion that allows for facial recognition scanning and  
18 GPS monitoring.

19 (10) Before the individual's immigration hear-  
20 ing, many individuals simply dispose of their ATD  
21 compliance cell phone immediately upon release, or  
22 after their initial 30 day compliance meeting with  
23 EOR ATD, to abscond and avoid further detection  
24 from immigration enforcement agencies;

1           (11) Another prevalent reason for alien’s falling  
2           out of contact with EOR ATD and thereby avoiding  
3           further detection includes instances where the alien  
4           moves within the United States and fails to provide  
5           updated contact information to EOR ATD.

6           (3) Ninety-five to ninety-seven percent of aliens  
7           that are released into the several communities of the  
8           United States don’t show up for their removal hear-  
9           ings, resulting in many cases of undetected illegal  
10          immigrants taking abode in the United States until  
11          they are subsequently, if ever, identified by immigra-  
12          tion enforcement agencies.

13          (b) STATEMENT OF CONGRESS.—Congress—

14               (1) recognizes the unprecedented immigration  
15               crisis currently occurring at the southern border;

16               (2) condemns the Biden Administration’s  
17               prioritization of faster illegal immigrant processing  
18               time instead of implementing policies that actually  
19               deter illegal immigration from occurring in the first  
20               place;

21               (3) deplores the use of any Federal funding  
22               under ATD plans to provide cell phones to illegal  
23               immigrants who are released into the several com-  
24               munities of the United States;

1           (4) demands that President Joseph Biden re-  
2       sume and finish construction of the southern border  
3       wall to diminish the opportunity for unlawful border  
4       crossings;

5           (5) encourages the allocation of increased Fed-  
6       eral funding towards additional CBP agents and  
7       monitoring technology at the southern border;

8           (6) emphasizes and denounces the immense  
9       waste of United States taxpayer funding that is cur-  
10      rently used to provide cell phones to immigrants who  
11      unlawfully enter the United States; and

12          (7) stresses the national security concerns of re-  
13      leasing illegal immigrants into the several commu-  
14      nities of the United States based on the unlikely  
15      premise that such individuals will maintain the cell  
16      phone while awaiting their hearing date in United  
17      States immigration court.

18   **SEC. 3. PREVENTING TAXPAYER FUNDING FROM BEING**  
19                   **USED TO PROVIDE ILLEGAL IMMIGRANTS**  
20                   **WITH CELLULAR DEVICES.**

21       The Secretary of Homeland Security (including any  
22      delegate of the Secretary) or any other Federal Govern-  
23      ment official may not use American taxpayer funding to  
24      provide cellular devices to individuals who cross the south-  
25      ern border illegally.

**1 SEC. 4. AMERICAN TAXPAYER WASTE REPORT.**

2 Not later than 150 days after the date of the enact-  
3 ment of this Act, the Secretary of Homeland Security, in  
4 conjunction with the Commissioner of the U.S. Customs  
5 and Border Protection, shall submit a report to the Com-  
6 mittee on Homeland Security of the House of Representa-  
7 tives and the Committee on Homeland Security and Gov-  
8 ernmental Affairs of the Senate outlining the total number  
9 of cellular devices allocated to illegal immigrants since the  
10 beginning of Joe Biden's presidency, the total monetary  
11 cost of each cellular device, the economic impact on each  
12 American citizen resulting from the decision to distribute  
13 cellular devices to illegal immigrants, a detailed overview  
14 of the stipulations and process when providing cellular de-  
15 vices to illegal immigrants, the number of cellular devices  
16 that were returned after an immigration hearing decision  
17 in comparison to those that were not returned, details  
18 about the cellular device return process after the immigra-  
19 tion hearing concludes, and any other information relating  
20 to the illegal immigrant cellular device distribution process  
21 that the Secretary determines necessary.